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11 Attorney for Plaintiffs

12 UNITED STATES DISTRICT COURT
13 DISTRICT OF OREGON

14 LARRY McCUE and JULIE McCUE (a.k.a.
15 JULIA McCUE), husband and wife, both
16 individually and as trustees of the S F
17 JAYNES TRUST, and ROBERT
18 CHAMBERLIAN, as trustee of the S F
19 JAYNES TRUST,

20 Plaintiffs,

21 v.

22 FIRST AMERICAN TITLE INSURANCE
23 COMPANY, METLIFE HOME LOANS, a
24 division of METLIFE BANK, N.A., FIRST
25 HORIZON NATIONAL MORTGAGE, a
26 division of FIRST TENNESSEE BANK
27 NATIONAL ASSOCIATION, BRUNO
28 SKOPINICH, and QUALITY LOAN
29 SERVICE CORP. OF WASHINGTON,

30 Defendants.

No. 10-3034

TEMPORARY RESTRAINING
ORDER

1 TO: FIRST AMERICAN TITLE INSURANCE COMPANY, METLIFE HOME
2 LOANS, a division of METLIFE BANK, N.A., FIRST HORIZON NATIONAL MORTGAGE,
3 a division of FIRST TENNESSEE BANK NATIONAL ASSOCIATION, BRUNO SKOPINICH,
4 and QUALITY LOAN SERVICE CORP. OF WASHINGTON, Defendants.

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6 Plaintiffs' motion for temporary restraining order came before the Court ex parte on May
7 20, 2010.

8 Based on the record, including the Verified Complaint and the Affidavits on file, the court
9 finds:
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11 1. If Defendants are not immediately restrained from conducting a trustee's sale on May
12 26, 2010, Plaintiffs will suffer irreparable injury, loss, or damage in the form of loss of their home
13 property through illegal and defective lending transactions and foreclosure sale processes.

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15 2. Plaintiff's lawyer made reasonable efforts to notify defendants of the motion, as follows:

16 A. Telephone contact to the Medford office of FIRST AMERICAN TITLE
17 CORPORATION, (541) 779-7250, April Beard, Manager; and to the Eugene office Legal
18 Department, Mike Silvis, (541) 484-2900, at 11:30 a.m. on May 20, 2010;

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20 B. By faxing a copy of the Amended Complaint, Motion for Temporary Restraining
21 Order, Affidavits of Julie McCue and Joseph M. Charter, and Temporary Restraining Order to
22 Quality Loan Service Corp. of Washington, the loan servicer shown on the Trustee's Notice of
23 Sale, at (619) 645-7716 on May 20, 2010 at approximately 11:30 a.m.;

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25 C. By faxing a copy of the Amended Complaint and Motion for Temporary

26 TEMPORARY RESTRAINING ORDER

1 Restraining Order, Affidavits of Julie McCue and Joseph M. Charter, and Temporary Restraining
2 Order to METLIFE HOME LOANS at (214) 441-441-5312, the fax number shown on
3 correspondence identified in ¶ 4 of the Amended Complaint, on May 20, 2010 at approximately
4 11:30 a.m.;

5 D. By telephone contact to FIRST HORIZON NATIONAL MORTGAGE Customer
6 Relations Department 4000 Horizon Way, Irving, TX 75063; at 1-800-364-7662, the contact
7 number shown on correspondence identified in ¶ 4 of the Amended Complaint, on May 20, 2010
8 at approximately 11:30 a.m.;

9 E. By telephone contact to BRUNO SKOPINICH at 541-471-4304, MLS Funding,
10 543 NE E Street #104, Grants Pass, OR 97526.

11 It is therefore ORDERED as follows:

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13 1. Defendants FIRST AMERICAN TITLE INSURANCE COMPANY, METLIFE HOME
14 LOANS, a division of METLIFE BANK, N.A., FIRST HORIZON NATIONAL MORTGAGE,
15 a division of FIRST TENNESSEE BANK NATIONAL ASSOCIATION, BRUNO SKOPINICH,
16 and QUALITY LOAN SERVICE CORP. OF WASHINGTON, and their officers, agents,
17 servants, employees, and lawyers, and all other persons in active concert or participation with any
18 of them who receive actual notice of this order, by personal service or otherwise, are restrained
19 from conducting a trustee's sale on May 26, 2010 or thereafter for the following property: 1644
20 Jaynes Drive, Grants Pass, Oregon.

21 2. Defendants shall appear before this Court on *Tuesday* May 24, 2010, at 10:00 a.m., Room
22 _____, and show cause, if any there be, why the activity described above should not continue
23 to be restrained during the pendency of this action.

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25 3. The order contained in paragraph 1 above shall expire at the date and time set forth in
26 TEMPORARY RESTRAINING ORDER

1 paragraph 2 above, unless extended by further order of this court.

2 4. This order shall be effective upon the posting by Plaintiffs of a cash deposit under FRCP
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4 67 or other undertaking in a form acceptable to the court in the sum of \$1,000.00.

5 DATED: May 21, 2010.

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8 **U.S. DISTRICT COURT JUDGE**
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